

**PHILADELPHIA POLICE DEPARTMENT****DIRECTIVE 8.10**

Issued Date: 03-04-11	Effective Date: 03-04-11	Updated Date:
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**SUBJECT: PREVENTING CORRUPTION WITHIN OUR RANKS - CREATING A
VALUES DRIVEN ORGANIZATION**

1. BACKGROUND

- A. Honor, Integrity, and Service are the core values upon which we stand as a Police Department and to serve the community. It is the absolute responsibility of each and every member of this Department to uphold these core values. Nothing can destroy the honor and integrity of the Philadelphia Police Department, along with the esprit de corps and morale of its members, faster than corruption, abuse of authority, official misconduct, or even the appearance of improprieties by members of the Department.
 - B. In order to protect and preserve the honor and integrity of the Philadelphia Police Department, the Department shall pursue a holistic approach incorporating all aspects of prevention, education, intervention, and investigation to eradicate corruption, abuse of authority, official misconduct, and even the appearance of improprieties by members of the Department.
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2. POLICY

- A. All members of the Philadelphia Police Department, sworn and civilian, are professionals and shall conduct themselves, whether on or off-duty, in a professional manner by not committing any inappropriate acts or deeds that would otherwise compromise the honor and integrity of the Department. All actions and deeds by members of this Department shall be consistent with the laws, regulations, and mandates of the Constitution of the United States, and the Commonwealth of Pennsylvania, the City of Philadelphia Home Rule Charter, the Philadelphia Police Department, the Police Officer's Code of Ethics, and avoid even the appearance of impropriety.
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3. EMPLOYEE'S RESPONSIBILITY TO REPORT CORRUPTION, MISCONDUCT, AND OTHER IMPROPER ACTS NEGATIVELY AFFECTING THE DEPARTMENT

- A. All personnel have the right and duty to file complaints of corruption, misconduct, or other conditions that negatively impact the Department by any employee of the Police Department.
 - B. Reprisals against any member of the Department, who reports corruption, misconduct, or other conditions that negatively impact the Department are strictly prohibited. All instances of suspected reprisals will be immediately investigated by the Office of Professional Responsibility and those found committing such reprisals will be subjected to disciplinary action up to and including dismissal. In cases regarding criminal allegations, criminal charges may ensue for such reprisals.
 - C. Any employee filing complaints of corruption, misconduct, or other wrongdoing which they know not to be true is subject to disciplinary action.
 - D. The right and duty to come forward will not be used to initiate groundless complaints or maliciously slander another member of the Department.
 - E. All complaints of corruption, misconduct, or other conditions that negatively impact the Department will be investigated by the Office of Professional Responsibility.
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4. TRAINING AND EDUCATION

- A. The Philadelphia Police Department will provide numerous opportunities for in-depth training and education beginning in the Academy, extending into a field training program for recruits, and continuing throughout the officer's career with Roll Call, in- service and annual mandatory sessions.
 - B. This training will provide examples that will require officers to engage in ethical decision-making and to enhance the development of the two major components to good judgment: critical thinking and self-awareness.
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5. REPORTING MECHANISMS

- A. All members of the Department shall have the duty and responsibility to report corruption, misconduct, and/or other conditions that negatively impact the Department committed by members of the Department.
- B. In an effort to ease the reporting process, a "hot line" phone number- (215) xxx-xxxx along with an email address: [REDACTED] have been established for both Departmental personnel and community members to call and leave an anonymous message to report alleged professional misconduct.

- C. In addition to the Police Commissioner's hotline, complaints and/or information may also be reported 24 hours a day to Integrity Control, Special Investigations Unit of the Office of Professional Responsibility at (215) xxx-xxxx or by going to the Department's website, PhillyPolice.com and clicking on the link to report allegations of wrongdoing.
- D. Members of the public wishing to make a complainant will be given a Citizen's Complaint Report (75-561). The requestor is not required to show identification in order to receive this form.
- E. The following protocol will be followed when investigating allegations received from the above reporting mechanisms:
 - 1. The complaint will be recorded at District/Unit Headquarters receiving the complaint, issued a tracking number and then transcribed to a short narrative report (white paper) before being forwarded to the Office of Professional Responsibility for appropriate action.
 - 2. All complainants will then be entered into a database for tracking purposes and the original complaint form will be maintained in the Deputy Commissioner, Office of Professional Responsibility's office. After the Deputy Commissioner reviews the information, it will then be forwarded to the Administrative Lieutenant for dissemination.
 - 3. The Administrative Lieutenant will then attempt to identify the target of the complaint and conduct a search for any active investigations.
 - 4. After the target or geographic area of the complaint is identified, the white paper will be forwarded to the appropriate Internal Affairs Captain.
 - 5. The pertinent Internal Affairs Captain will ensure a thorough investigation is conducted and the appropriate action to address the complaint is taken. Upon the conclusion of the investigation, the Captain will forward the findings to the appropriate Staff Inspector/Inspector for review and approval prior to returning the white paper with the summarized results to the Administrative Lieutenant.
- F. In all cases where an individual making the allegations requests to remain anonymous and circumstances so permit, all efforts will be undertaken to ensure compliance.

NOTE: All personnel should be aware that if an individual requests that their identity be classified as anonymous/confidential and the investigation escalates into a criminal case or litigation, the anonymity/confidentiality of the individual cannot be guaranteed. The Constitutional Right of the accused to confront all witnesses in their defense supersedes any authority of the Philadelphia Police Department in preserving the anonymity/confidentiality of such individuals. Also, in a civil action, plaintiffs have a right to obtain full discovery, which may include disclosure of anonymous/confidential information.

6. WHISTLEBLOWER LAW (43 P.S. 1421)

- A. This legislation serves to protect employees who report a violation of Federal, State, or local law.
 - B. The Act protects the making of a “good faith” report of any instance of wrongdoing or waste, or participating in an investigation, hearing, or inquiry held by an appropriate authority. A “good faith” report is one made without malice and without consideration of personal benefit. The person making the report must have reasonable cause to believe the report is true and the report must be made to the employer or other “appropriate authority” as defined in the Act.
 - C. Wrongdoing is defined as “a violation which is not of a merely technical or minimal nature of a Federal or State statute or regulation, of a political subdivision ordinance or regulation, or of a code of conduct or ethics designed to protect the interest of the public or the employer”.
 - D. Waste is defined as “an employer’s conduct or omissions which result in substantial abuse, misuse, destruction, or loss of funds or resources belonging to or derived from Commonwealth or political subdivision sources”.
 - E. Employees may not be discharged, threatened, or otherwise discriminated or retaliated against by an employer regarding their compensation, terms, conditions, location, or privileges of employment because they have made or are about to make a good faith report of waste or wrongdoing, verbally or in writing, to the employer or appropriate authority. The same prohibitions apply when the employee is asked to participate in an investigation, hearing, or inquiry regarding wrongdoing or waste.
 - F. An employee may sue in court over a violation of the Whistleblower Law, which must be brought within 180 days of the alleged violation’s occurrence.
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BY COMMAND OF THE POLICE COMMISSIONER



PHILADELPHIA POLICE DEPARTMENT

DIRECTIVE 8.10

APPENDIX "A"

Issued Date: 03-04-11	Effective Date: 03-04-11	Updated Date:
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SUBJECT: PHILADELPHIA POLICE OFFICER'S CODE OF ETHICS

1. BACKGROUND

- A. Ethics is defined as a code, system, or body of moral principles or good conduct, particularly a system for a group of people or a profession, such as law or medicine. Ethics deals primarily with values: what is good, what is bad, what is right, and what is wrong. The responsibility to act ethically rests with every sworn law enforcement officer when they go about their professional duties and in their personal life.
- B. The Philadelphia Police Department derives its authority from the Commonwealth of Pennsylvania Constitution and the Home Rule Charter of Philadelphia. With this authority, sworn law enforcement officers investigate other people, abridge normal liberties, and use force when necessary. Therefore, it is imperative that sworn law enforcement officers of this department perform to the highest degree of ethical behavior when serving the communities and citizens who live, work, and visit Philadelphia.

2. POLICY

- A. The policy of the Philadelphia Police Department is that its sworn law enforcement officers shall maintain the highest standard of conduct and perform their duties in a non-discriminatory, efficient, courteous, respectful, and ethical manner at all times. Further, these official powers shall not be used for personal profit or gain, or violate the Constitution or laws in the performance of their work.

3. STANDARDS

- A. Sworn law enforcement officers shall abide by the following Philadelphia Police Department Code of Ethics:

"As a Police Officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all persons to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminal, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession”.

4. PROCEDURAL GUIDELINES

- A. Specific violations of Department policy or procedures shall be handled in accordance this Directive and Directive 8.6, “Disciplinary Procedure.”
- B. Commanding Officers/ Department Heads shall ensure that all members of their command:
 - 1. Familiarize themselves with the contents of this directive through Roll Call training and staff meetings; and
 - 2. Subscribe to the contents of this directive.
- C. The Chief Inspector, Training and Education Services shall ensure that:
 - 1. Recruits are familiar with the content of this directive prior to graduation from the Police Academy; and
 - 2. The annual in-service training program shall include the contents of this directive in the core curriculum.

BY ORDER OF THE POLICE COMMISSIONER
